

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

## UNITED STATES DISTRICT COURT

for the

District of MASSACHUSETTSUnited States of America  
v.  
**SPENCER GRAY**Case No: 04-10115-RCLUSM No: 25196-038Charles W. RankinDate of Previous Judgment: May 2, 2005  
(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 57 months months is reduced to time served.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>25</u>	Amended Offense Level: <u>23</u>
Criminal History Category: <u>I</u>	Criminal History Category: <u>I</u>
Previous Guideline Range: <u>57</u> to <u>71</u> months	Amended Guideline Range: <u>46</u> to <u>57</u> months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range
- ☐ Other (explain):

## III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated May 2, 2005 shall remain in effect.

IT IS SO ORDERED.

Order Date: March 14, 2008

Effective Date: \_\_\_\_\_  
(if different from order date)

Judge's signature

Printed name and title